



# Jackson County, Missouri

## Request for Legislative Action

REQUESTED MEETING DATE: \_\_\_\_\_ SPONSOR: \_\_\_\_\_

*To be completed by the County Counselor's Office:*

NUMBER: 5844

ASSIGNED MEETING DATE: 04/15/2024

STAFF CONTACT: Randy Diehl PHONE: 816-881-4577

EMAIL: rdiehl@jacksongov.org

DEPARTMENT: Public Works

TITLE: RZ-2024-671 – Wayne & Denise Edwards

### SUMMARY:

Requesting a change of zoning from District AG (Agricultural) on 3.51 ± acres to District RE (Residential Estates). The purpose is to decrease the building setback requirements at 25711 E. 99th Street.

Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.

The Jackson County Plan Commission held a public hearing on March 21, 2024, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 5 to 0 to recommend APPROVAL to the County Legislature.

FINANCIAL IMPACT: NO ☒

YES ☐

Amount

Fund

Department

Line-Item Detail

ACTION NEEDED: ZONING (UDC)

ATTACHMENT(S):

**RZ-2024-671**

**ATTACHMENT 1: PROPERTY DESCRIPTION**

**Description:**

Lot 40, Timber Meadows, (5<sup>th</sup> Plat), a subdivision in Jackson County, Missouri

RZ-2024-671

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from March 21, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Timber Meadows 5<sup>th</sup> Plat

Aerial of location

**Randy Diehl gave the staff report:**

**RE: RZ-2024-671**

**Applicant:** Wayne & Denise Edwards

**Location:** 25711 E. 99<sup>th</sup> Street

**Area:** 3.51 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

**Purpose:** The purpose is to decrease the building setback requirements.

**Current Land Use and Zoning in the Area:**

The zoning in the area is Agricultural. Timber Meadows 5<sup>th</sup> Plat was created in 1981, prior to the adoption of the Unified Development Code in 1995. These lots are Legal Non-Conforming. As of 1995, residential lots under 10 acres are now required to be rezoned to a residential zoning.

The applicant wishes to decrease the side yard setbacks for future construction. The rezoning will reduce the side yard setbacks from 30 feet to 15 feet, the rear yard setbacks from 50 feet to 30 feet. The front setback is platted at 75 feet and will remain the same.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2024-671.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**Mr. Antey: *Are there any questions for Randy?***

There were none.

**Mr. Antey: *Is the applicant here?***

Richard McWhirt, 2405 NE Lake Bluff Court, Lee's Summit. I'm am here the the Edwards.

**Mr. Antey: *Do you have anything to add to the report?***

Mr. McWhirt: No, I don't.

**Mr. Antey: *Is there anyone else who is in favor of this application?***

There were none.

**Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?***

There were none.

Motion to take under advisement.

Mr. Lake moved to take under advisement. Mr. Crawford seconded.

*Discussion under advisement*

Mr. Crawford moved to approve. Mr. Lake seconded.

Mr. Lake	Approve
Mr. Monaco	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

## STAFF REPORT

### PLAN COMMISSION

March 21, 2024

RE: RZ-2024-671

**Applicant:** Wayne & Denise Edwards

**Location:** 25711 E. 99<sup>th</sup> Street

**Area:** 3.51 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

**Purpose:** The purpose is to decrease the building setback requirements.

#### Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Timber Meadows 5<sup>th</sup> Plat was created in 1981, prior to the adoption of the Unified Development Code in 1995. These lots are Legal Non-Conforming. As of 1995, residential lots under 10 acres are now required to be rezoned to a residential zoning.

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#### County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

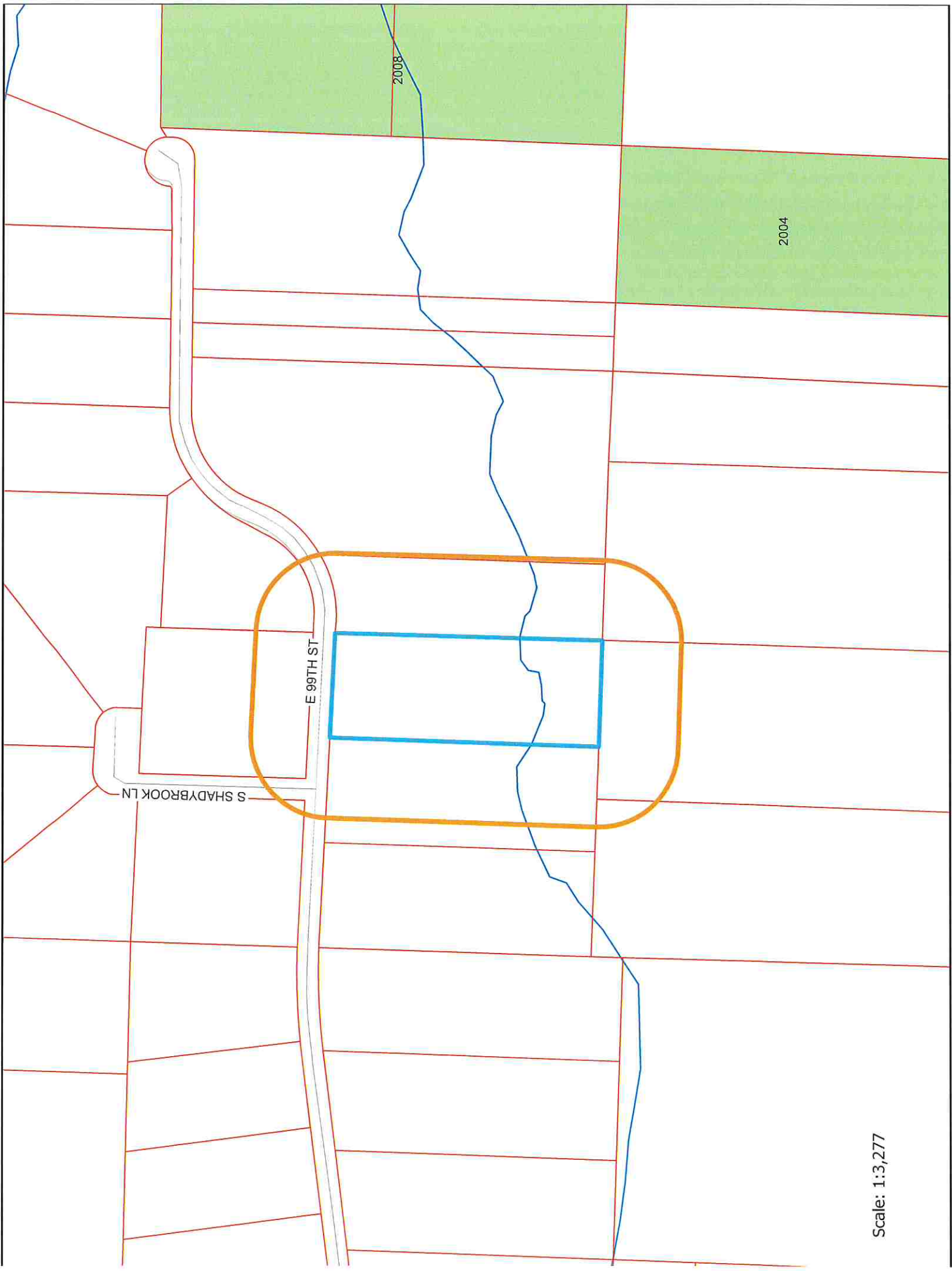
#### Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2024-671.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator



Scale: 1:3,277

RZ-2024-671

Property Owners Within 185 feet

parcel	owner	address	city	state	zip
53-700-01-53-00-0-00-000	JACOBS MEGAN & KYLE	25701 E 99TH ST	LEES SUMMIT	MO	64086
53-700-01-64-00-0-00-000	HART DALE G & MARY LOU-TRUSTEES	25810 MILTON THOMPSON RD	LEES SUMMIT	MO	64086
53-700-01-18-01-0-00-000	GOURLEY ELIZABETH M & ROBERT J-TR	25701 MILTON THOMPSON RD	LEES SUMMIT	MO	64086
53-700-01-62-00-0-00-000	BOYD JOHN B & LINDA S	25911 E 99TH ST	LEES SUMMIT	MO	64086
53-700-01-50-00-0-00-000	RIEGEL THEODORE T & KIM K	25606 E 99TH ST	LEES SUMMIT	MO	64086
53-700-01-51-00-0-00-000	BLESSEN GREGORY & CYNTHIA KERLEY-TR	25710 E 99TH ST	LEES SUMMIT	MO	64086
53-700-01-18-02-0-00-000	GOURLEY ELIZABETH M-TRUSTEE	25701 MILTON THOMPSON RD	LEES SUMMIT	MO	64086
53-700-01-58-00-0-00-000	COATS ROBERT D & TERESA A	25804 E 99TH ST	LEES SUMMIT	MO	64086
53-700-01-61-00-0-00-000	CHU PAUL R & BETH M	25807 99TH ST	LEES SUMMIT	MO	64086
53-700-01-52-00-0-00-000	EDWARDS V WAYNE & DENISE E-TR	25711 E 99TH ST	LEES SUMMIT	MO	64086





## JACKSON COUNTY Public Works Department

Jackson County Technology Center  
303 West Walnut Street  
Independence, Missouri 64050  
jacksongov.org

(816) 881-4530  
Fax: (816) 881-4448

March 6, 2024

RE: Public Hearing: RZ-2024-671  
Wayne & Denise Edwards

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Wayne & Denise Edwards for a change in zoning from District AG (Agricultural) to District RE (Residential Estates) on 3.51 ± acres. The purpose to decrease the building setback requirements at 25711 E. 99<sup>th</sup> Street.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, March 21, 2024 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 816-881-4577 or [rdiehl@jacksongov.org](mailto:rdiehl@jacksongov.org)

Sincerely,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

*Frank White, Jr., County Executive*

**JACKSON COUNTY, MISSOURI**  
**APPLICATION FOR CHANGE OF ZONING**

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**APPLICANT INFORMATION:**

1. Application must be filed with the Jackson County Planning and Development Division,  
303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.  
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)  
\$350.00 – Change of Zoning to Residential  
\$500.00 – Change of Zoning to Commercial or Industrial

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**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RZ- 2024- 671

Date filed \_\_\_\_\_ Date of hearing \_\_\_\_\_

Date advertised \_\_\_\_\_ Date property owners notified \_\_\_\_\_

Date signs posted \_\_\_\_\_

Hearings:      Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

                  Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

                  Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

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**BEGIN APPLICATION HERE:**

1. **Data on Applicant(s) and Owner(s):**
  - a. Applicant(s) Name: Wayne and Denise Edwards  
Address: 25711 E. 99<sup>TH</sup> ST.  
Lee's Summit, Mo 64086  
Phone: 816-210-6790
  - b. Owner(s) Name: Wayne and Denise Edwards  
Address: 25711 E 99<sup>TH</sup> ST.  
Phone: 816-210-6790
  - c. Agent(s) Name: Rick McWhirt

Address: 2405 NE Lake Bluff Ct. L.S. MO 64086

Phone: 816-215-0481

d. Applicant's interest in Property: Owner

2. General location (Road Name) 25711 E. 99<sup>th</sup> Street  
Lee's Summit, Mo 64086

3. Present Zoning Agriculture Requested Zoning Residential Estate

4. AREA (sq. ft. / acres) 153,158 sq. ft / 3.52 acres

5. Legal Description of Property: (Write Below or Attached 9 )

Timber Meadows 5<sup>th</sup> Plat, Lot 40

6. Present Use of Property: SF Residence

7. Proposed Use of Property: SF Residence

8. Proposed Time Schedule for Development: Build Detached garage  
in 2024.

9. What effect will your proposed development have on the surrounding properties?

None

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No

If so, will any improvements be made to the property which will increase or decrease the elevation? \_\_\_\_\_

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water None

b. Sewage disposal None

c. Electricity Add service

d. Fire and Police protection None

12. Describe existing road width and condition: Excellent road and curbs

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13. What effect will proposed development have on existing road and traffic conditions? None

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14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? None

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If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

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Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Property Owner(s)

Wayne Edwards  
Denise E Edwards

Date

1-18-2024  
1-18-2024

Applicant(s):

Wayne Edwards  
Denise E Edwards

1-18-2024  
1-18-2024

Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF

Missouri

COUNTY OF

Jackson

On this 18<sup>th</sup> day of January, in the year of 2024, before me the undersigned notary public, personally appeared Wayne Edwards and Denise G. Edwards

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

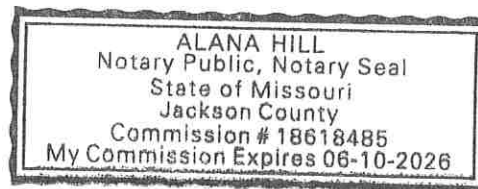
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Alana Hill

Commission Expires

6/10/26



Filed for record\_



